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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,451	03/22/2001	Dekel Shiloh	3323/1H366US1	4579

7590 12/04/2003

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805 Third Avenue  
New York, NY 10022

EXAMINER
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ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/814,451

Applicant(s)

Dekel, Shiloh

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09/22/2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

**Serial Number: 09/814,451**

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**Examiner Pierre Eddy Elisca**

**United States Department of Commerce**

**Patent and Trademark Office**

**Washington, D.C. 20231**

### **DETAILED ACTION**

1. This Office action is in response to Application No. 09/814,451, filed on 09/22/2003.
2. Claims 1-7 are remained and claims 8-20 are added.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Fortenberry (U.S. Pat. No. 6,005,939).

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As per claims 1-5, Fortenberry substantially discloses a password containing user defined information at various security levels is stored in a secure server on the internet (which is readable as Applicant's claimed invention wherein it is stated that a real entity to access a service on a communication network), comprising:

establishing a user account including at least:

first data corresponding to the identity of the real entity (see., abstract, col 1, lines 51-67, specifically password); and

second data corresponding to the virtual entity and not identifying said real entity (see., abstract, col 6, lines 63-67, specifically wherein it is stated that virtual information includes items such as virtual identification that can be used when visiting web sites);

storing said first and second data in a first database (see., col 2, lines 1-13, col 5, lines 62-67, col 6, lines 1-7, first database 214);

linking between said first and second data in said first database (see., col 5, lines 62-67, col 6, lines 1-7);

storing said second data at a second database (see., col 5, lines 62-67, col 6, lines 1-7);

associating said second database with a communication network site (see., col 5, lines 62-67, col 6, lines 1-7);

connecting said communication network site to said communication network (see., abstract, col 5, lines 62-67, col 6, lines 1-7);

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receiving said second data from an unidentified user on the communication network site (see., col 6, lines 31-67);

identifying said unidentified user as said virtual user based on receiving said second data (see., col 6, lines 31-67) and

allowing said virtual entity to access said service (see., col 6, lines 63-67). Fortenberry further discloses in response to a user requests, a vendor may request user information such as user name, address, and credit card number (or billing). Fortenberry also discloses a credit card account or information see., col 1, lines 13-22, col 6, lines 52-62. It is to be noted that Fortenberry fails to explicitly disclose that the second database not linked to the first database. However, Fortenberry discloses in col 6, lines 1-14 that password agent 216 may be provided, for example, as an object-oriented database management system or second database, a relational database or second database. This imply that the password agent database 216 or relational database is not explicitly linked to the first database 214. Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of Fortenberry by including a second database that is not linked to the first database. The motivation for doing so would have been to allow the system databases not to be interconnected.

As per claims 6, and 7-20 Fortenberry substantially discloses a password containing user defined information at various security levels is stored in a secure server on the internet (which is readable

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as Applicant's claimed invention wherein it is stated that a virtual entity residing on a communication network site), comprising:

a memory having stored therein information defining the virtual entity, which information includes a unique user name, a password and information corresponding to a virtual representation of the virtual entity (see., abstract, col 1, lines 20-37, lines 51-55, col 6, lines 63-67); and

a virtual user interface adapted to communicate with said communication network from said communication network (see., abstract, col 6, lines 63-67);

wherein said virtual entity is not linkable, on said communication network, to the identity of said real entity (see., col 1, lines 51-67, col 6, lines 63-67).

It is to be noted that Fortenberry fails to explicitly disclose that one or more physical attributes or second database not linked to the first database. However, Fortenberry discloses in col 6, lines 1-14 that password agent 216 may be provided, for example, as an object-oriented database management system or second database, a relational database or second database or physical attributes . This imply that the password agent database 216 or relational database is not explicitly linked to the first database 214 or physical attributes. Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of Fortenberry by including a second database that is not linked to the first database. The motivation for doing so would have been to allow the system databases not to be interconnected.

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***Conclusion***

5. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks

Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

**(703) 305-7687**

  
Pierre Eddy Elisca

Patent Examiner

**December 03, 2003**